

FILED

JUN 14 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

RICK KNOTT,
Defendant.

No. CR-06-00346-DLJ

PROTECTIVE ORDER RE
DISCLOSURE OF CERTAIN WITNESS
STATEMENTS TO DEFENSE COUNSEL

At the last calling of this case on June 2, 2006, there was colloquy between the Court and counsel about whether the government would provide defense counsel with copies of DEA reports of interviews of cooperating defendants. Government counsel acknowledged that to date, no such reports had been turned over to defense counsel. Government counsel noted that these statements would be Jencks Act statements, subject to disclosure as provided in 18 U.S.C. § 3500. See also Fed.R.Crim.P. 26.2. The Court indicated its preference that such statements be provided to defense counsel in advance of the date required by law.

The government is agreeable to providing these statements to defense counsel earlier than required by law, subject however, to a protective order that addresses the concerns expressed by government counsel as to the safety of the cooperating defendant

1 witnesses.

2 Good cause appearing, the disclosure of these materials to defense counsel is
3 subject to the following terms and conditions of this Protective Order:

4 1. The United States will provide to defendant's counsel, Assistant Public
5 Defender Joyce Leavitt, copies of these memoranda described above. These memoranda
6 shall be used in connection with this case and for no other purpose.

7 2. These materials shall not be copied. However, the contents of these
8 materials may be disclosed by defense counsel to and discussed with the defendant, and to
9 any other person working on this case with AFPD Leavitt. A copy of the memoranda
10 shall not be provided to the defendant.

11 3. Disclosure of additional memoranda by the government for interviews of
12 cooperating defendants conducted after the filing of this Protective Order, shall be made
13 by the government in accordance with this Order, and their use by defense counsel shall
14 be subject to the provisions of this Protective Order.

15 4. This Protective Order shall continue in force and effect until further order
16 of this Court.

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18 IT IS SO ORDERED.

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21 DATED: June 14, 2006

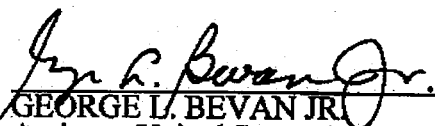


D. LOWELL JENSEN
UNITED STATES DISTRICT JUDGE

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PROTECTIVE ORDER

1 Approved:

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3 DATED: 6/14/06


GEORGE L. BEVAN JR.
Assistant United States Attorney
Counsel for the United States

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7 DATED: _____

8 JOYCE LEAVITT, ESQ.
Assistant Federal Public Defender
Counsel for Defendant Rick Knott

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PROTECTIVE ORDER

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FED PUBLIC DEFENDER

→ OAK US ATTY

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GEORGE L. BEVAN JR
Assistant United States Attorney
Counsel for the United States

Joyce Leavitt
JOYCE LEAVITT, ESQ.
Assistant Federal Public Defender
Counsel for Defendant Rick Knott

PROTECTIVE ORDER

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TOTAL P.04